

**THOMPSON COBURN***Thompson Coburn LLP  
Attorneys at Law*One US Bank Plaza  
St. Louis, Missouri 63101-1693  
314-552-6000  
FAX 314-552-7000  
www.thompsoncoburn.com**RECEIVED  
CENTRAL FAX CENTER  
DEC 21 2004*****Facsimile*****FOR IMMEDIATE DELIVERY**

To	Firm Name	Phone	Fax
Examiner: THALER, Michael H.	USPTO	703-308-2981	703-872-9306

From: Joseph M. Rolnicki

Date: 12/21/2004

Message:

Atty/Client/Matter No.: 3076/54084/08682

Total Number of Pages, including this page: 15

If you do not receive all of the pages, please call 314-552-6286 as soon as possible.

Thank you,

Fax Department - Operator: plcTime of Transmittal: 4:15A.M./P.M. (P.M.)**Confidentiality Note**

The information contained in this facsimile transmission is legally privileged and confidential information intended only for the use of the individual or entity named above. If the reader of this transmission is not the intended recipient, you are hereby notified that any dissemination, distribution, or copying of this transmission is strictly prohibited. If you have received this transmission in error, please immediately notify us by collect telephone call and return the original transmission to us at the above address by U.S. mail. Thank you.

Please type a plus sign (+) inside this box → ☒

PTO/SB/05 (03-01)

Approved for use through 10/31/2002. OMB 0851-0032  
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

<b>Attorney Docket No.</b> 54084-8682		<b>First Inventor:</b> Awh, et al.	
<b>AMENDMENT TRANSMITTAL LETTER</b>  <b>Title: <u>DIRECTIONAL ENDO-ILLUMINATOR</u></b>		<b>Serial No.</b>	09/992,232
		<b>Filing Date</b>	November 6, 2001
		<b>Examiner</b>	THALER, Michael H.
		<b>Group Art Unit</b>	3731

**TO THE ASSISTANT COMMISSIONER FOR PATENTS:**

Transmitted herewith is an amendment in the above-identified application.

☒ Large Entity Status☐ Small Entity status of this application has been established under 37 CFR 1.27

The fee has been calculated and is transmitted as shown below.

CLAIMS AS AMENDED - PART II						SMALL ENTITY		OTHER THAN SMALL ENTITY	
AMENDMENT	(Column 1)		(Column 2)	(Column 3)	RATE	ADDITIONAL FEE	RATE	ADDITIONAL FEE	
	CLAIMS REMAINING AFTER AMENDMENT		HIGHEST NUMBER PREVIOUSLY PAID FOR	PRESENT EXTRA					
	Total (37 CFR 1.16(e))	31	Minus	38	= 0	x \$ _____ =	0.00	x \$ _____ =	0.00
	Independent (37 CFR 1.16(b))	2	Minus	3	= 0	x \$ _____ =	0.00	x \$ _____ =	0.00
	FIRST PRESENTATION OF MULTIPLE DEPENDENT CLAIM (37 CFR 1.16(d))					x \$ _____ =		+ \$ _____ =	
					TOTAL ADDIT. FEE	0.00	TOTAL ADDIT. FEE	0.00	

\* If the entry in column 1 is less than the entry in column 2, write "0" in column 3.  
 \*\* If the "Highest Number Previously Paid For" IN THIS SPACE is less than 20, enter "20".  
 \*\*\* If the "Highest Number Previously Paid For" IN THIS SPACE is less than 3, enter "3".  
 The "Highest Number Previously Paid For" (Total or Independent) is the highest number found in the appropriate box in column 1.

- ☐ Petition for an Extension of Time in Application
- ☒ If an extension or an additional extension of time is required, but is not enclosed, please consider this a conditional petition therefor and charge Deposit Account 20-0823 accordingly.
- ☒ No additional fee is required for the amendment claims.
- ☐ A check in the amount of the \_\_\_\_\_ fee for claims is enclosed.
- ☒ The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment, to Deposit Account Number 20-0823.  
I have enclosed a duplicate copy of this sheet.
- ☒ Any additional filing fees required under 37 C.F.R. 1.16.
- ☒ Any patent application processing fees under 37 C.F.R. 1.17.

*Joseph M. Rolnicki*  
 Signature

Date: December 21, 2004

Joseph M. Rolnicki Reg. No. 32,653  
 Thompson Coburn LLP  
 One US Bank Plaza  
 St. Louis, MO 63101-9928  
 314-552-5286  
 314-552-7286 FAX

Custom No.: 021888

2449549

**Certificate of First Class Mailing**

I hereby certify that this document and fee is being deposited with the United States Postal Service as First Class Mail under 37 C.F.R. 1.8 on December 21, 2004 and addressed to: Mail Stop NON-FEE AMENDMENT, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450

Signature:

*Joseph M. Rolnicki*

Type Name: Joseph M. Rolnicki

RECEIVED  
CENTRAL FAX CENTER

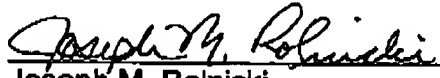
DEC 21 2004

Docket No. 54084-8682

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICECERTIFICATE OF MAILING

I hereby certify that this correspondence is being transmitted via facsimile to the Commissioner for Patents and Trademarks at the United States Patent and Trademark Office at (703) 872-9306 on December 21, 2004.

  
Joseph M. Rolnicki  
Reg. No. 32,653

In re application of: Awh, et al.

Serial No.: 09/992,232

Filed: November 6, 2001

For: DIRECTIONAL ENDO-ILLUMINATOR :

:  
:  
: Examiner: THALER, Michael H.  
:  
: Group Art Unit: 3731  
:

Commissioner for Patents  
PO Box 1450  
Alexandria, VA 22313-1450

AMENDMENT AND RESPONSE B

The finality of the last Office Action mailed on October 1, 2004, was premature. In the last Office Action, claims 1-26 were rejected for the first time in view of the U.S. Patent of Colgan, et al. No. 6,648,902. Claims 1-26 had not been previously amended, and therefore finally rejecting the claims for the first time in view of the Colgan reference

2448113

was premature. The finality of the rejection should therefore be withdrawn, the Supplement to Amendment and Response A filed October 6, 2004, should therefore be considered, and the amendments of the claims presented herein should be entered.